

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2013-092846

12/03/2013

HONORABLE BETHANY G. HICKS

CLERK OF THE COURT

I. Ostrander

Deputy

IN RE THE MATTER OF
HALEY EDWARDS

HALEY EDWARDS
1935 W SUNNYVALE LANE
APT 2090
MESA AZ 85206

AND

JUSTIN RICHARDSON

JOSHUA R EDWARDS

D J GAUGHAN PHD
4501 N 22ND STREET
SUITE 290
PHOENIX AZ 85016

NOTICE TO PETITIONER/RESPONDENT: If you have a protected address, you must contact the person appointed below and provide contact information within ten (10) days of the date of this minute entry.

APPOINTMENT OF A PARENTING CONFERENCE PROVIDER

IT IS ORDERED appointing the following Parenting Conference Provider (Provider) to conduct a parenting conference with the parties (and interviews of their minor child, if necessary):

D. J. Gaughan, Ph. D.
4501 N. 22nd Street
Suite 290
Phoenix, Arizona 85016
Phone: (602) 956.3237

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IT IS FURTHER ORDERED that the parenting conference shall be conducted on the following basis in accordance with the contract requirements set forth in the current contract between the Provider and the Judicial Branch of Arizona:

1. Scope. The Provider shall conduct a conference sufficient for the Provider to render a written report regarding issues the Court should consider and/or regarding agreements the parties have reached as to the current custody and parenting time/visitation plan that would be in the best interests of the parties minor child after considering all relevant factors, including those set forth in A.R.S. § 25-403.

The Provider may present any other information or impressions that he or she determines the Court should consider to promote the physical, mental, moral, or emotional health of the child. The Provider may also assist the parties with resolving their dispute amicably, if possible. Any agreements reached shall be reduced to writing, signed by the parties, and provided to the Court in the form specified by the Family Court Department.

2. Timely Written Report. The Provider shall prepare a written report within 60 days of appointment. The report shall be delivered to the Court and counsel, or the parties, if self-represented. The acceptance of this appointment by the Provider indicates a capability of completing a written report in a timely manner and the ability to appear and testify in court upon reasonable notice.
3. Initial Contact. The Provider shall make the initial contact with the counsel for both parties, or the parties, if self-represented, within 10 days of notification of appointment as a Provider and thereafter shall arrange for the appointment(s) with the parties for the parenting conference (and interviews of minor child, if necessary). **If you have not been contacted yet by your Provider when you receive this minute entry, please contact the Provider immediately using the contact information above.** If you are not able to speak with the Provider directly, you shall provide accurate and current contact information to the Provider either by voicemail or by letter.
4. Authority of Parenting Conference Provider/Cooperation By Parties/Waiver of Confidentiality. The Provider shall have the following authority with regard to the minor child and family members:
 - a. The Provider shall serve as an expert for the Court in order to provide impressions relevant to the care and custody of, and access to, the minor child in this case pursuant to applicable Arizona statutes and case law.

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- b. The Provider shall have reasonable access to the child with reasonable notice and shall have reasonable notice of any and all judicial proceedings, including requests for any examination affecting the child.
- c. The Provider shall also have access to:
 - i. All therapists of the child and the parties;
 - ii. All school and medical records of the child and the parties;
 - iii. Any and all psychological testing or evaluations performed on the child or on the parties;
 - iv. Any and all teachers/childcare providers for the child;
 - v. Any and all records from Child Protective Services and law enforcement agencies. These documents will be requested by Conciliation Services and will be provided directly to the Provider.
- d. At the request of the Provider, each party shall execute any and all releases or consents necessary to authorize the Provider's access to the information described above. The parties are informed that the Court is the identified client of the Provider in this case. The Provider serves the Court in this case; therefore, neither the parties nor their child are patients of the Provider. There is no confidentiality relating to the parties' communications with or to the Provider or concerning the Provider's activities or proposed considerations. The Provider may engage in written or verbal communication with any person he or she perceives capable of providing information relevant to the care and welfare of the child.
- e. The Provider may recommend that the parties and/or child participate in adjunct services, to be provided by third parties, including, but not limited to, physical or psychological examinations, assessment, psychotherapy, co-parenting work, or alcohol and drug monitoring/testing. The Court will decide whether such services are to be ordered and how costs are to be allocated between the parties.
- f. Upon request from the Provider, either or both parties are required to provide the Provider with copies of all minute entries, orders, and pleadings filed in this case, as well as all records, reports, and documents requested by the Provider.

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The parties and counsel shall cooperate with the Provider to ensure that the conference is completed and the report is submitted by the date ordered.

5. No Ex-Parte Contact. The parties and/or counsel shall not have substantive ex-parte discussions with the Provider but shall conduct all communication through conference calls or conferences, unless agreed upon otherwise by all parties and counsel. Discussions regarding the scheduling of appointments and/or completion of intake forms are not considered substantive. Copies of any documentation provided by counsel or the parties to the Provider shall concurrently be sent by the providing person to the other side. Copies shall be sent to counsel, if the other side is represented by counsel. The Provider may have ex-parte contact with the Court regarding scheduling matters.
6. Testimony. Each party shall have the right to call the Provider as a witness. If only one party believes that the Provider's live testimony is necessary in addition to the written report, that party shall initially be responsible for 100 percent of the costs incurred in connection with the Provider testifying at the court hearing, subject to reallocation by the Court, if appropriate.
7. Immunity. The Provider acts as a Court-appointed official in his or her capacity pursuant to this order and as such the Provider has limited immunity consistent with the applicable Arizona case law as to all actions undertaken pursuant to the Court appointment and this order. Any alleged impropriety or unethical conduct by the Provider shall be brought to the attention of the Court in writing.
8. Domestic Violence. In the event of an order of protection involving both parties or allegations of domestic violence between the parties, the Provider may choose to use court facilities to hold the parenting conference. The Provider shall contact Conciliation Services to make those arrangements.

IT IS FURTHER ORDERED signing this minute entry as a formal order of this Court on this the 3rd day of December 2013.

/S/ HONORABLE BETHANY G. HICKS

HONORABLE BETHANY G. HICKS
JUDICIAL OFFICER OF THE SUPERIOR COURT

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All parties representing themselves must keep the Court updated with address changes. A form may be downloaded at: <http://www.superiorcourt.maricopa.gov/SuperiorCourt/Self-ServiceCenter>.